

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
VALDOSTA DIVISION**

WAYNE R. LINDSEY,

Petitioner,

v.

UNITED STATES OF AMERICA,

Respondent.

CASE NO. 7:00-CR-12
28 U.S.C. § 2255
CASE NO. 7:08-CV-90031

ORDER

This case is before the Court on Petitioner's Motion for Certificate of Appealability (Doc. 750) from the Court's order that Petitioner's 28 U.S.C. § 2255 motion be denied. Under 28 U.S.C. § 2253(c)(2), a COA may issue only if the applicant makes "a substantial showing of the denial of a constitutional right." This requires a petitioner to demonstrate that "reasonable jurists would find the district court's assessment of the constitutional claims debatable or wrong." See Slack v. McDaniel, 529 U.S. 473, 478 (2000).

For the reasons stated in United States Magistrate Judge Stephen Hyles's recommendation (Doc. 740), and this Court's order accepting the same (Doc. 745), the Court concludes that reasonable jurists could not find that a dismissal of Petitioner's claims was debatable or wrong. Accordingly, Petitioner's Motion for Certificate of Appealability is denied.

SO ORDERED, this the 15th day of January, 2014.

s/ Hugh Lawson
HUGH LAWSON, SENIOR JUDGE

mbh